

BOARD OF SELECTMEN

Minutes of

January 22, 2008

Chairman McArdle called the meeting to order at 7:30PM. Board members present in addition to Chairman McArdle were Richard Gandt, Steve Clark, Dick Carlson and Boyd Jackson. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich, were in attendance. Other persons present were Jane Schraffa of the Topsfield Cable and Brendan Lewis of the Tri-Town Transcript, Bob & Kathy Morgan and Mike D'Amario.

Selectmen Minutes: Chairman McArdle made the motion to accept minutes of January 7, 2008 as written; seconded by Selectman Clark; so voted 5-0. Chairman McArdle made the motion to accept the Executive Session minutes of the January 7, 2008 and to hold until all matters are resolved; seconded by Selectman Clark, so voted 7-0. Chairman McArdle made the motion to accept the amended minutes of the working session of January 10, 2008, seconded by Selectman Gandt; so voted 5-0.

OLD BUSINESS:

45 Bare Hill Road – Rytman Property: Planning Board has submitted a letter stating that the Town should accept the property at 45 Bare Hill Rd from the Rytman Grain Co. Chairman McArdle will discuss the property with Chairman Walter Harmer of the Conservation Commission regarding the land to be turned over to the Conservation Commission with the stipulation that the back taxes of \$75.00 be paid. It was noted that this office has not heard back from Essex Greenbelt regarding their potential interest in the property.

NEW BUSINESS:

Park & Cemetery Loader/Backhoe: Selectman Gandt motioned that the Board vote to award a contract to Schmidt Equip. Inc of Oxford, MA in the amount of \$52,112.00 to purchase a 2007 Loader/Backhoe 4 wheel equipped with pallet forks and extended warranty, seconded by Selectman Clark; so voted 5-0. Funds for this acquisition were approved at the 2007 Town Meeting .

COA Transportation Driver Wages: Chairman McArdle motioned that the Board vote to take no action on the Council on Aging's request to use the Transportation Donation Revolving Account to pay wages for a van driver in the amount not to exceed \$3,000 a year, seconded by Selectman Clark; so voted 5-0. The no action vote was due in part to the premature nature of the request as the COA has not received the second van authorized through a state grant. This request could be revisited if and when a second van is obtained, however, it is generally not the intent of the BOS to use revolving funds to pay wages.

National Grid MOU: Selectman Gandt made a motion to approve the Memorandum of Understanding with National Grid to participate in their Commercial Building Program for services related to an energy audit on Town Hall and for the Chairman to sign, seconded by Selectman Clark; so voted 5-0.

Appointment:

7:45 PM – East School House – Norm Isler, member of the Historical Society presented information to the Board regarding the 1847 East School House, which is 24 feet by 30 feet; that recently has been discovered in the vicinity of Perkins Row. Through Mr. Isler's investigation,

he uncovered that the school house closed in 1891 due to lack of students. It is a sister school house of the North and South School Houses once located in Topsfield. Mr. Isler has obtained the names of students that attended the East School House along with teachers and curriculum. Mr. Isler noted that some work has been done to stabilize the building and it is in good condition. The work was paid for with a \$2,000 anonymous donation. The school house must be relocated and Mr. Isler is investigating what the next location should be. He specifically asked if the Board had any suggestions of any available Town owned land. There has been some interest by the Fair Grounds. However, before turning the building over to the Essex Agricultural Society, Mr. Isler wishes to ensure that the Town has no interest in the building. East School House is a part of Topsfield's heritage, and, Mr. Isler would like to see the building renovated for adaptive reuse, possibly to be used for meetings. Mr. Isler said he has a quote of \$149,000 for the renovations which he envisions being funded by grants and outside fund raising. Selectman Gandt made a plea to the citizens to think of possible locations and uses for this 1847 East School House. Mr. Isler asked that suggestions be sent to him.

NEW BUSINESS (continued):

Conservation Administrator Compensation: Chairman McArdle motioned that the Board vote to take no action on a request from the Conservation Commission to extend the hours of work of the Conservation Commission Agent from 37.5 to 40 hours and to fund same from the Wetlands Fees Fund, seconded by Selectman Clark; so voted 5-0. There was a discussion regarding the use of Revolving Funds for salaries. Selectman Clark noted that requests of this nature should be reviewed by Chairman of the Finance Committee, Board of Selectmen and Personnel Director.

GASB-45 Post-Employment Benefit Liability Study: Selectman Gandt motioned that the Board approve a contract for GASB-45 study with ANGELL Pension Group, Inc of E. Providence RI in the amount of \$8,500, seconded by Selectman Jackson; so voted 5-0.

Town Administrator's Report:

Please see attached report.

Correspondence & Reports

Correspondence:

- The Division of Fisheries & Wildlife is requesting a MA Endangered Species application and associated fees to be filed for the ongoing project at Perkins Row Bridge, Perkins Row/10 North Street in order for the continuation of a review.

Citizen Questions & Comments

Mr. Bob Morgan of 22 Washington Street and the Coalition of Neighborhood Information was invited to address the Board. Mr. Morgan stated that in the Minutes of December 12, 2007 it was quoted that he was to receive the response the Rail Trail Committee submitted to the newspaper. To date he has not received it. Next Mr. Morgan asked what, if anything, was being done in regards to William Whiting's request to hold a town wide debate regarding the Rail Trail project. Ms. Wilder responded by stating that a meeting has been scheduled with the moderator and Mr. Whiting to discuss the process. It was noted that the Moderator had been away. Then Mr. Morgan requested that the Board censure Rail Trail Committee for remarks made in a letter to the newspaper. He alleged that the response that was posted in the paper carried some

slandorous comments regarding how the Morgan's had rid their property of an invasive plant. Chairman McArdle responded that such a request should to be submitted to the Board in writing.

Correspondence & Reports

Correspondence (continued):

- Letter received from MASS Highway approving the preliminary design of Borders to Boston Trail moving through towns: Boxford, Danvers, Georgetown, Newbury, Newburyport, Salisbury, Topsfield and Wenham.
- Letter received from Cottage Place Condominium, 218 Boston St., stating an issue regarding Town trees affecting safety on their property.
- Ruth Lucy sent a letter that was also forwarded to the newspaper thanking the Board for the special tribute to George by naming the baseball diamond after him
- The Library Trustees have sent a letter approving an increase of the Directors hours from 37.5 to 40 week. Discussion surrounding this issue was based on the budget needing to be approved and that the request needed to go through the same process as others noted earlier.
- Police Chief sent a letter which attached the Masconomet School Committee's support of the "School Resource Officer Program" with police representation from all three towns. Discussion surrounding the cost and value of the program was noted. Selectman Gandt noted that the Police Chief needs to come to the Board with a proposal.
- Debra Mark, Payroll Benefit clerk has submitted a letter of resignation effective January 31, 2008
- MBTA Advisory Board is having a meeting Thursday Jan. 24, 2008 in Boston beginning at 9:30AM.

Reports:

- Cable TV Advisory Committee submitted the Minutes of December 5, 2007.
- Board of Assessors submitted Minutes of December 21, 2007.
- Council on Aging submitted Minutes of December 11, 2007.
- Building Inspectional Services submitted Monthly Report for December.
- Conservation Commission submitted Letter to ZBA re: 59 Main St., AOoC for 249 Rowley Bridge Rd., OoC at 221 Washington St., letter to F.Iovanella re: proposed development at New Meadow Golf Course. Minutes of June 11, 2003 and November 28, 2007
- Board of Library Trustees submitted Minutes of November 13, 2007 and December 11, 2007.
- North Shore Vocational School submitted Minute of November. 1, 2007.
- Planning Board submitted Minutes of December 18, 2007.
- Police Department submitted Monthly Report for December.
- Zoning Board of Appeals submitted Legal Notices for 14 Central St, 59 Main St, 4 North Common St.

Prior to adjourning, Chairman McArdle noted that the Board had an additional matter to discuss. He then stated that "we have an agreement to provide back-up ambulance service with Action Ambulance and the towns of Ipswich, Hamilton, Byfield and Middleton. These agreements have been entered into by the Fire Chief who does not have the power to do so. These agreements have no effect on any mutual aid agreements on the use of fire fighting equipment. These agreements are separate, and distinct, from ambulance back-up. I believe that our ALS

capability should be used for Topsfield residents. Our full staff should be available for residents. These agreements can weaken our response to our residents. I move we tell the Fire Chief to negate the back-up ambulance agreements forthwith. Also, that if this causes a problem with our EMS Service Zone Plan Application, the Application be changed". The motion was seconded by Selectman Carlson, so voted 2-3, with Selectmen's Clark, Jackson and Carlson opposing. Selectman Clark made a motion to direct the Town Administrator to contact the appropriate authorities and start a discussion of revisions regarding emergency back-up and move toward a uniform approach to medical back-up agreements with the selected towns, seconded by Selectman Jackson; so voted 4-1, Chairman McArdle opposed. Chairman McArdle made another motion to have the agreement with Action Ambulance terminated and the agreement with Byfield terminated, seconded by Selectman Clark; so voted 5-0.

At 9:15 PM, Chairman McArdle entertained a motion to adjourn, seconded by Selectman Carlson; so moved, 5-0.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the February 4, 2008 Board of Selectmen's meeting.